



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Poonam Agarwal, *et al.*

Serial No.: 09/713,601

Group No.: 1637

Filed: 11/15/2000

Examiner: Hashemi, S.

Entitled: **Methods And Compositions For Detecting Target Sequences**

**INFORMATION DISCLOSURE
STATEMENT TRANSMITTAL**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 23, 2003

By: 

Mary Ellen Waite

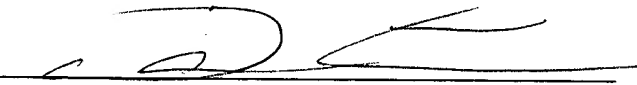
Sir or Madam:

Enclosed please find an Information Disclosure Statement and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

A check for \$610.00 is also enclosed pursuant to 37 C.F.R. § 1.17(p) for filing this Information Disclosure Statement after three months as set forth in 37 C.F.R. § 1.97(c), Request for Continued Examination and a Request for Extension of Time.

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s), and/or credit any overpayment, to Deposit Account No. **08-1290**. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: September 23, 2003


David A. Casimir
Registration No. 42,395

09/29/2003 AWONDAF1 00000021 09713601

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Sir or Madam:

The citations listed below, copies attached, may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

Applicants have become aware of the following printed publications that may be material to the examination of this application. A number of these references are not prior art, but are provided for thoroughness.

- U.S. Patent No. 5,011,769;
- U.S. Patent No. 5,210,015;
- U.S. Patent No. 5,403,711;
- U.S. Patent No. 5,422,253;
- U.S. Patent No. 5,516,663;
- U.S. Patent No. 5,830,664;

- U.S. Patent No. 5,882,867;
- U.S. Patent No. 5,874,283;
- Harrington and Lieber, "Functional domains within FEN-1 and RAD2 define a family of structure-specific endonucleases: implications for nucleotide excision repair," *Genes and Develop.* 8:1344-1355 (1994);
- Lyamichev *et al.* "Structure-Specific Endonucleolytic Cleavage of Nucleic Acids by Eubacterial DNA Polymerases," *Science* 260:778-783 (1993);
- Bambara *et al.*, "Enzymes and Reactions at the Eukaryotic DNA Replication Fork," *J. Biol. Chem.* 272:4647-4650 (1997);
- Harrington *et al.*, "The characterization of a mammalian DNA structure-specific endonuclease," *EMBO Journ.* 13:1235-1246 (1994);
- Harrington *et al.*, "DNA Structural Elements Required for FEN-1 Binding," *J. Biol. Chem.* 270:4503-4508 (1995);
- Lieber, "The FEN-1 family of structure-specific nucleases in eukaryotic DNA replication, recombination and repair," *BioEssays* 19:233-240 (1997);
- Murante *et al.*, "The Calf 5'- to 3'-Exonuclease Is Also an Endonuclease with Both Activities Dependent on Primers Annealed Upstream of the Point of Cleavage," *J. Biol. Chem.* 269:1191-1196 (1994); and
- Murante *et al.*, "Calf 5' to 3' Exo/Endonuclease Must Slide from a 5' End of the Substrate to Perform Structure-specific Cleavage," *J. Biol. Chem.* 270:30377-30383 (1995).

The following patents, publications, and pending applications are owned by the assignee of the present invention. Additionally, enclosed is a Court order related to claim construction on parent patent applications.

- U.S. Patent No. 6,348,314
- U.S. Patent No. 6,458,535
- U.S. Patent No. 6,090,606
- U.S. Patent No. 6,090,543
- U.S. Patent No. 6,001,567
- U.S. Patent No. 5,994,069

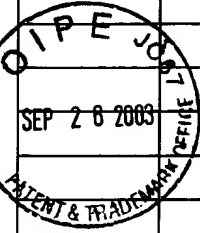
- U.S. Patent No. 5,985,557
- U.S. Patent No. 5,888,780
- U.S. Patent No. 5,846,717
- U.S. Patent No. 5,843,669
- U.S. Patent No. 5,843,654
- U.S. Patent No. 5,837,450
- U.S. Patent No. 5,795,763
- U.S. Patent No. 5,719,028
- U.S. Patent No. 5,691,142
- U.S. Patent No. 5,614,402
- U.S. Patent No. 5,541,311
- U.S. Patent No. 6,372,424
- PCT International Application No. WO 94/29482
- PCT International Application No. WO 97/27214
- PCT International Application No. WO 98/05809
- U.S. Patent Appln. No. 09/381,212
- U.S. Patent Appln. No. 09/982,667 (published as 2003-0096245A1)
- U.S. Patent Appln. No. 09/940,244
- U.S. Patent Appln. No. 09/732,622
- U.S. Patent Appln. No. 10/033,297 (published as 2002-0187486A1)
- U.S. Patent Appln. No. 10/081,806 (published as 2002-0197623A1)
- U.S. Patent Appln. No. 10/309,584
- Order and Opinion, Third Wave Technologies, Inc. v. Eragen Biosciences, James Prudent, and David Marshall, 02-C-507-C, United States District Court for the Western District of Wisconsin

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated: September 23, 2003



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FORM PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office		Attorney Docket No.: FORS-04905		Serial No.: 09/713,601	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use Several Sheets If Necessary)				Applicant: Poonam Agarwal <i>et al.</i>			
(37 CFR § 1.98(b))				Filing Date: 11/15/2000		Group Art Unit: 1645	
U.S. PATENT DOCUMENTS							
Examiner Initials	Cite No.	Serial / Patent Number	Issue Date	Applicant / Patentee	Class	Subclass	Filing Date
	1	5,011,769	4/30/91	Duck <i>et al.</i>	435	6	4/29/88
	2	5,210,015	5/11/93	Gelfand <i>et al.</i>	435	6	8/6/90
	3	5,403,711	4/4/95	Walder <i>et al.</i>	435	6	7/6/93
	4	5,422,253	6/6/95	Dahlberg <i>et al.</i>	435	91.53	12/7/92
	5	5,516,663	5/14/96	Backman <i>et al.</i>	435	91.2	4/19/92
	6	5,830,664	11/3/98	Rosemeyer <i>et al.</i>	435	6	7/11/95
	7	5,882,867	3/16/99	Ullman <i>et al.</i>	435	6	7/7/95
	8	5,874,283	2/23/99	Harrington <i>et al.</i>	435	252	5/30/95
	9	6,348,314	2/19/02	Prudent <i>et al.</i>	435	6	7/9/99
	10	6,458,535	10/1/02	Hall <i>et al.</i>	435	6	7/9/99
	11	6,090,606	7/18/2000	Prudent <i>et al.</i>	435	6	12/2/96
	12	6,090,543	7/18/2000	Prudent <i>et al.</i>	435	6	12/2/96
	13	6,001,567	12/14/99	Brow <i>et al.</i>	435	6	7/12/96
	14	5,994,069	11/30/99	Hall <i>et al.</i>	435	6	3/24/97
	15	5,985,557	11/16/99	Prudent <i>et al.</i>	435	6	11/29/96
	16	5,888,780	3/30/99	Dahlberg <i>et al.</i>	435	91.53	2/19/97
	17	5,846,717	12/8/98	Brow <i>et al.</i>	435	6	1/24/97
	18	5,843,669	12/1/98	Kaiser <i>et al.</i>	435	6	11/29/96
	19	5,843,654	12/1/98	Heisler <i>et al.</i>	435	6	7/07/95
	20	5,837,450	11/17/98	Dahlberg <i>et al.</i>	435	6	6/6/95
	21	5,795,763	8/18/98	Dahlberg <i>et al.</i>	435	194	6/6/95
	22	5,719,028	2/17/98	Dahlberg <i>et al.</i>	435	6	2/6/97
	23	5,691,142	11/25/97	Dahlberg <i>et al.</i>	435	6	6/6/96
	24	5,614,402	3/25/97	Dahlberg <i>et al.</i>	435	199	6/6/94
	25	5,541,311	7/30/96	Dahlberg <i>et al.</i>	536	23.7	6/4/93
	26	6,372,424	4/16/02	Brow <i>et al.</i>	435	5	8/30/95
	27	09/381,212	2/8/00	Hall <i>et al.</i>			
	28	09/982,667	10/18/01	Hall <i>et al.</i>			
	29	09/940,244	8/27/01	Neri <i>et al.</i>			
	30	09/732,622	12/8/00	Neri <i>et al.</i>			
	31	10/033,297	11/2/01	Hall <i>et al.</i>			
	32	10/081,806	2/22/02	Prudent <i>et al.</i>			
	33	10/309,584	12/4/02	Neri <i>et al.</i>			
Examiner:				Date Considered:			
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

